

Draft

Terminal Facilities and EIR Referral Issues Study Committee Airport Advisory Commission

Minutes for Meeting #13

September 30, 2004

MEMBERS

PRESENT

Ron Salk
Alan Fox
Bruce Alton
Douglas Haubert
Bob Luskin
Carol Soccio
Don Temple

MEMBERS

ABSENT

Bernhard Clever
Deborah Veady

STAFF

PRESENT

Chris Kunze
Dottie Jones
Sharon Diggs-Jackson
Sileneka Smith
Jerry Caliguiri

OTHERS

PRESENT

See Attached sign-in
(Available on request)

Call to Order

Chair Ron Salk called the Study Committee to order at 6:00 p.m., at the Long Beach Energy Department.

Roll Call

Chris Kunze called roll and certified that a quorum was present.

Minutes

The minutes of September 16, 2004 were approved.

Approval of Agenda

The agenda was approved as submitted.

Chairman Salk Opening Statement

Chairman Fox opened the meeting and thanked the public for attending. He stated that Commissioner Ron Salk has chaired the study session meetings and turned the meeting over to him.

Chairman Salk stated that if and when there is a motion, that remarks should only address that motion. He stated that he feels that all areas of the community have been heard from and any further comments should be summarized.

Chairman Salk asked Mr. Chris Kunze to begin with his report. Mr. Kunze asked Mark Christoffels, City Engineer to review the work program associated with the EIR. Mr. Christoffels gave the following report:

Status of Work on the Airport Terminal Environmental Impact Report

- Council requested staff to prepare an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) for proposed improvements to the Long Beach Airport including:
 - Holdroom, Security Screening Area and Baggage Claim Area Improvements
 - Office Space for Security, Airport and Airline Support Staff
 - Parking Structures and Parking Lots

- Traffic and Pedestrian Circulation Improvements
- Air Carrier Ramp Parking
- Notice of Preparation (NOP) was issued and public scoping meeting held. NOP identified the proposed project and the following alternatives:
 - The No Project Alternative – This alternative, as required by CEQA, assumes the existing terminal with the temporary facilities (no change from current conditions); however, the parking spaces currently leased from Boeing are not assumed to be available because of the temporary nature of the lease agreements.
 - Year 2000 Project Alternative – This alternative assumes the removal of the temporary facilities (north and south holdrooms) and utilization of the existing terminal to accommodate passengers. This alternative also assumes that the leased parking would not be available.
 - Reduced Facilities Alternative – This alternative will evaluate the potential impacts associated with reducing the size of the proposed facilities, while still serving the same number of passengers. This alternative assumes the elimination of the temporary north and south holdroom to be replaced with a single smaller permanent building. The parking spaces currently leased from Boeing and at Veteran Stadium are not assumed to be available because of the temporary nature of the lease agreements. Similar to the proposed project, air carrier ramp parking would consist of the increase of the air carrier ramp to the north and/or south, which is needed for the parking of commercial and commuter aircraft. As with the proposed project, this would result in the relocation of some general aviation parking or aircraft manufacturing facilities.
- Due to extensive concerns expressed by the community during this process, Council requested AAC to review both the proposed project and EIR scope.
- AAC conducted an extensive review of data related to the proposed size and use of the requested improvements for the Airport.
- The AAC recommended a proposed project for EIR review purposes.
- AAC now needs to provide direction on the scope of the EIR.

As part of the NOP, an Initial Study was prepared to help focus the issues to be discussed in the EIR. In a sense, it is a “roadmap” for the contents of the EIR. Based on the Initial Study done as part of the NOP, the following issues have been identified for evaluation in the EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Public Services
- Transportation

Issues Raised to Date Relative to the Current Scope of Work

Flight Operations. Comments received expressed concern about the operational characteristics of the flights at the airport. The concerns included the increase in the number of flights taking off from the airport over the past year. In addition to the increased number of flights, dissatisfaction was expressed that the flights do not comply with the curfew (too early in the morning and too late at night), occurring on restricted runways, and flying too low over neighborhoods. Many commentors believe that there are already too many flights and there should be a decrease in operations. The ultimate concern is that the improvements of the terminal will result in the increase of flights out of the airport.

The current scope of the EIR does not address changes in the flight operations at the airport other than that which is permitted by the Noise Control Ordinance. The Noise Control Ordinance assumes a minimum of 41 commercial carrier flights and 25 commuter flights at the airport. The project does not propose any modification of the Noise Control Ordinance. Changes to how the curfew or other operational procedures are administered are not within the current scope of the project, which proposes facilities improvements to accommodate the currently approved flight levels.

Air Quality. Comments relayed concerns pertaining to the impacts of the airport on the air quality of the adjacent neighborhoods. Issues cited black soot and fuel deposits broadcasted throughout the community that affects windows, paint on houses and cars, pavement, patio furniture, pools, landscaping, etc. A specific concern is the hydrocarbon emissions of jet engines exhaust impact on air quality.

The scope of work for the EIR does include an air quality analysis. As currently proposed, an inventory of the existing pollutant emissions in the vicinity of the airport will be prepared. This will include airport emission sources and emissions from vehicular traffic in the vicinity of the airport. Airport emission sources accounted for in the inventory will include aircraft operations, ground support equipment, vehicular traffic within and around the airport, fuel tanks, and any on site sources related to terminal operations. This inventory will be used to compare air pollutant emissions released by airport activities to other substantial sources in the area around the airport. A separate emissions inventory for the emissions associated with airport operations will also be prepared. This inventory will include the airport emission sources described above along with off-site emission sources including emissions generated by traffic due to the airport and emissions from off site power generation, and other sources.

The scope of work assumed for the EIR would address the air pollutants associated with the airport. While emissions would be quantified, the issue of reducing emissions from aircraft would not be addressed by the proposed project because it does not assume a reduction in the number of flights.

Health Risk/Hazards. Many of the respondents attribute health issues, such as headaches, insomnia, bronchitis, asthma, allergies, anxiety, emphysema, and cancer risk, to impacts created by the airport. A cumulative health assessment to identify current exposures and effects to health, as well as projected impacts after the proposed improvements has been requested.

The current scope of work does not provide for a full health risk assessment. This initial determination by staff and its consultant was based on the presumption that the project is

defined as terminal area improvements (i.e., buildings, parking structure, and air carrier ramp improvements), which would not by themselves constitute an increase in health risk. However, if a determination is made that the project may affect airport operations from those in affect at the time of the issuance of the NOP, that in turn may have a potential health risk impact, and an appropriately focused HRA could be included in the EIR. Mr. Christoffels stated that the Assistant City Attorney would be going into more detail on this matter.

Noise. Based on the comments received, noise created by the airport is widely considered extremely disruptive to the quality of life of the nearby residents. Impacts to sleeping patterns and disruption of conversations were common comments. There were requests to have the EIR include updated airport noise data and project specific information. Many commentors raised the need for mitigation of the noise from the airport.

The current scope of work does call for a comprehensive noise analysis. The EIR will discuss the existing noise environment and the future noise environment with and without the project. This analysis will rely on noise data collected from the airport noise monitoring system for 2003. The scope of work assumes that the current noise data would be summarized and noise contours would be plotted. The document would provide a discussion on the noise regulations that apply to the airport. The current scope of work for the EIR pertaining to noise analysis should address the technical concerns raised by the community. However, the scope of work does not propose the preparation of a land use compatibility program (mitigation through the changing land uses to non-sensitive uses or retrofitting homes for noise attenuation). This type of program is not warranted for the terminal area improvements project because the project would not substantially change the noise environment. The noise impacts would occur with or without this project. The issue of the compatibility of noise sensitive uses surrounding the airport is a larger planning level issue. A study of this nature would require several years of work and may cost over \$1,000,000. Additionally, funding for the retrofitting or acquisition of property would be necessary to implement such a program.

Cumulative Impacts/Growth Inducing Impacts. Comments expressed the concern of cumulative impacts on the residents of the City of Long Beach. Impacts from adjacent development, the refineries, the ports, the airport, and I-710 and I-405 were all cited. The request was made that the EIR address the cumulative impacts associated with projects in the area. A specific issue for the cumulative impact analysis pertained to the health risk assessment.

Also related to this issue, was the concern that providing terminal area improvements might result in growth inducing impacts. Several different concerns were identified. One concern questioned if providing improved facilities would make the airport more appealing, thereby increasing the demand for more flights or use of larger aircraft to serve more people. Another concern that is similar, is if the Noise Control Ordinance or the "grandfather" status pursuant to the Airport Noise Capacity Act (ANCA) were repealed, the improved facilities would facilitate growth at the airport.

The EIR would contain a cumulative impact and growth inducing impact section. However, the scope of the analysis being requested may be broader than what was assumed as part of the current EIR scope for cumulative analysis. The cumulative impact section would look at the effects of past projects, other current projects, and probable future projects surrounding the airport area. Issues such as emissions associated with current operations of the airport

and off-Airport sources such as the I-405 would be considered as part of the background air quality. The analysis would consider if the terminal area improvements would contribute to significant cumulative impacts. It would not be reconsidering the impacts associated with the function of the airport nor what the impact would be if the current noise limitations were eliminated.

Traffic. A concern raised is that the improvements will generate and attract many users and would increase the vehicular traffic on freeways and surface streets. These increases would have additional impacts on air quality, as well as impacts on circulation.

The EIR would evaluate the existing traffic conditions surrounding the airport and evaluate both the existing plus project scenario, as well as a long-term scenario. The evaluation would consider other uses proposed for the area, such as the reuse of the Boeing property.

Land Value. The impact of the airport on local property values is a big concern. Many commentators believe their property is already being devalued as a result of airport. After the proposed improvements, residents are further concerned that this will have a negative effect on the local economy resulting in blighted communities.

Effects of terminal improvements on land values are not part of the current scope for the EIR. Construction of terminal area improvements would not influence the property value of the surrounding area. It is recommended that any study of the impact of the airport operations on surrounding property values be conducted outside of this EIR process because the concern is not related to the improvements being evaluated by the EIR, rather the operation of the airport.

Additional Notes:

Revised Project Alternatives. On September 16, 2004, the Airport Advisory Commission recommended that the following alternatives be addressed in the EIR:

- Alternative 1 – Moderate (20%) building area reduction as compared to the proposed project
- Alternative 2 – Worst-case (30%) building area reduction as compared to the proposed project.

The introduction of these alternatives plus the revised project description necessitates preparation of a revised NOP for the project.

Revised NOP. A revised NOP will be prepared for a 30-day circulation and public review period. Because members of the public have been actively involved in AAC meetings during the past year, their concerns are well understood. Consequently, a separate public scoping meeting is not currently planned.

EIR Preparation. Other than background data collection and some initial analysis the preparation of the EIR is on hold until the close of the public review period on the revised NOP.

Mr. Kunze then introduced Mr. Michael Mais, Assistant City Attorney, and Michael Gatzke of Gatzke, Dillon & Balance LLP, the City's outside counsel, who discussed Mr. Mais'

memoranda dated September 30th and September 7th, which were included in the Commission agenda packets. It was stated that it would not be legally appropriate to include in the Terminal Facilities EIR a citywide study of environmental impacts of the Port of Long Beach, the surrounding freeway system, or other potential sources of pollution that are unrelated to the activities at the Airport. In addition, it was stated by Mssrs. Mais and Gatzke that it would be inappropriate to include in the EIR a study that would assume a hypothetical situation involving the loss of protection afforded by the Noise Compatibility Ordinance.

Mr. Mais stated that it was not meant to suggest that citywide environmental studies are in any way inappropriate, if conducted separate and apart from the Terminal Facilities EIR.

Mr. Kunze stated that in summary, the changes staff is pursuing based on September 16th and prior input are:

1. City will re-publish/circulate the NOP, with current proposed project information after City Council approves the proposed project.
2. City will include limited Human Health Risk Assessment (HHRA), examining Terminal improvements project impacts versus baseline. (Note, citywide comprehensive HHRA including Ports, freeways, power plants, refineries, etc, should be considered as a separate study, if needed, after reviewing the results of the currently in-process HHRA data gathering effort by the City's Health & Human Services Department.)
3. City will include downsized alternatives 1 and 2 as project alternatives within the EIR, for consideration in light of the completed EIR analysis.
4. The DEIR will be made available to the AAC for review and comment.
5. Any Terminal Improvements Project implementation actions, subsequent to EIR certification, will be brought through the AAC for review/comment before being taken to the City Council.

Mr. Kunze proposed the following:

1. Support the City Attorney's position regarding the scope of the Terminal Improvements Project EIR,
2. Recommend to the City Council that efforts continue to be made to address requests for information which exceed the scope of the Terminal Improvements Project impacts and its related EIR, yet which are relevant to qualify life and health issues within the Long Beach area.

Chairman Salk moved to accept the Airport Recommendations as given by Mr. Kunze. Commissioner Luskin seconded the motion.

Chairman Fox noted that the EIR should be limited to the bricks and mortar of the Airport Improvements. He stated that the Health Risk Assessment is more direct and would like to have a strong recommendation that a citywide assessment be included.

Mr. Kunze stated that it was not recommended to be part of the bricks and mortar EIR, but that

in his opinion, the recommendation for that type of full citywide health risk assessment is reasonable, separate and apart from the Terminal Facilities EIR.

Mr. Mais stated that his recommendation memorandum did not intend to imply that if the City went beyond what CEQA requires would be illegal, it would not be illegal. He stated that what CEQA requires would not include, for instance, a citywide health risk assessment that incorporated the Port, freeways, etc. He stated that a recommendation could also be made that those types of studies should be undertaken, and that the City Council may be looking for that type of guidance.

Commissioner Alton stated that a more general view should be considered encompassing the Airport in total and not marrying it to the freeways or the Port. He stated that there has not been a full EIR report on the Airport since 1985 and that a report should include all the land uses, including the terminal improvements. He stated that he would like to see the mechanism that would identify the impacts to the community from the Airport in total.

Mr. Mais stated that the City of Long Beach can at anytime, whether there is a project pending or not, undertake any study they want, small or large, focused on the Airport, focused the Port, freeways, or all three and other things as well. He stated that what would be needed after the recommendation is made, would be direction from the City Council to staff to undertake those studies.

Commissioner Temple asked about restricting flights. Mr. Kunze stated that presuming that the noise ordinance didn't exist, it is problematic to forecast an exact amount of activity. Reviewing other airports that do not have an ordinance in place, the growth over and above the facilities' design capacity is significant.

Commissioner Temple stated that his vote would always be to ensure safety and security. He stated that his fear is that the FAA would make decisions if there would be nothing done on the project.

Chairman Salk opened comments from the audience. Comments were taken from seven members of the audience. (Tapes available on request).

Commissioner Alton made a substitute motion as follows: that the scope of the EIR provides a comprehensive prospective Human Health Risk Assessment of full land use at the Airport.

Commissioner Haubert seconded the motion.

Mr. Mais asked for clarification as to exactly what land Commissioner Alton was referring. Commissioner Alton stated that it should be all parcels of the Airport within the chain link fence of the Airport. Mr. Mais asked if that would encompass existing businesses and/or parcels with potential for development.

Commissioner Haubert asked for a three-minute recess for discussion with the Mr. Mais. Chairman Salk called for a three-minute recess.

Chairman Salk asked Commissioner Alton if he would like to restate his substitute motion. Commissioner Alton stated that he would restate the motion saying that he would like to use

language in a report from Assistant City Attorney Mike Mais. He read from the Mike Mais memorandum "if the City Council wishes to include, or the Airport Advisory Commission wishes to recommend such a study (a Human Health Risk Assessment study) in the pending EIR, in order to address questions and issues regarding the proposed project which has been raised by various members of the public, then such an analysis of potential project impacts can be included as part of the EIR". He stated that that language should become a part of the Commission recommendations. Mr. Mais stated that in short, it is a request that a project related health risk assessment be included in the EIR.

For clarification the substitute motion reads as follows:

It was moved by Commissioner Alton and seconded by Commissioner Haubert as follows:

That the Airport Advisory Commission recommend to the City Council that the Environmental Impact Report (EIR) prepared in connection with the proposed terminal enhancement project include a prospective comprehensive human health risk assessment that would study and report on project related health risks associated with the facility expansion, including the health risks associated with the possible addition of the twenty-five (25) available commuter slots as well as the nine (9) potentially available supplemental air carrier slots.

Chairman Salk asked if that were an amendment to the motion or a restatement of the motion. Commissioner Alton stated that it is a restatement.

Mr. Mais asked for further clarification on the meaning of surrounding land uses, that staff will need to know if it will be the land uses that are currently under development or have potential of development in the near future as opposed to those now established.

Commissioner Alton stated that in looking at the terminal improvement project, that it would provide enough project scope that any health risk associated with additional flights will be contained within that scope. He stated that the substitute motion covers all land uses with the chain link fence and within the scope of the current terminal improvements as voted upon.

Chris Kunze asked that two things be clarified, the first being the level of activity will be governed by the existing noise ordinance, including the nine-flight forecast. Commissioner Alton stated that it is the 25 commuter flights and the 41 commercial flights plus the possibility of additional flights based on being within the noise bucket as identified in the ordinance. Mr. Kunze then asked for clarification of the term "prospective" as used in the motion. Commissioner Alton stated that he does not want it to be an examination of an existing paper, but should be broader and driven by what is being found in the study.

Commissioner Luskin asked how the substitute motion differs from the staff recommended motion. Mr. Mais stated that it does not differ except for the language, which is taken from the memorandum authored by Mr. Mais. Commissioner Luskin stated that all the flights were encompassed in the original motion.

Mr. Mais stated that his memorandum indicates that the Commission could include or require to include a health study. He stated that the original motion did not include that distinction.

Commissioner Haubert asked for a clarification that the discussion include a baseline of 41

existing commercial flights plus a possible 9 flights and 25 commuter flights.

Mr. Mais said that is what was intended to say in the memorandum.

Chairman Salk asked to take a vote on the substitute motion.

Ayes: Haubert, Soccio, Fox, Salk, Luskin, Alton, Temple

Commissioner Clever and Commissioner Veady were excused absent from the meeting

Commissioner Haubert then moved that the Airport Advisory Commission strongly recommend that the City Council move forward with the following:

1. a citywide retrospective human health risk assessment information compilation currently being undertaken by the Health & Human Services,
2. move forward with an Airport related human health risk assessment as will be made available as part of the Douglas Park project
3. move forward with an Airport related residential real estate value analysis
4. move forward with an Airport economic impact analysis currently being conducted.

Commissioner Temple seconded the motion.

Chairman Salk made a substitute motion to table Commissioner Haubert's motion to the October 21st meeting. Commissioner Soccio seconded. The vote was approved unanimously.

Commissioner Haubert stated that he would like to have the City Attorney draft the correct language of the motion made by Commissioner Alton. Mr. Mais stated that the language would be drafted as part of the minutes and then the Commission would approve the minutes.

The meeting was adjourned at 8:42 p.m.

Respectfully submitted, Dottie Jones, Airport Secretary
Long Beach Airport

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